FORM PTO - 1083

Case Docket No. 731

In re application of:

RODNEY M. LAFOLLETTE, et al.

Serial No .:

09/930,539

Filed:

August 14, 2001

For:

MICROSCOPIC BATTERIES FOR MEMS SYSTEMS

COMMISSIONER FOR PATENTS

P.O. BOX 1450

ALEXANDRIA, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in the above identified application.

- Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously
- A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.
- No additional fee is required.

The fee has been calculated as shown below:

| | (Col. 1) | | (Col. 2) | (Col. 3) (Small Entity) | | l Entity) | (Other than Small Entity) | |
|--------|---|-------|---------------------------------------|-------------------------|--------|-------------------|---------------------------|-------------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid For | Present Extra | Rate | Additional Fee | Rate | Additional Fee |
| Total | | minus | | = . | x \$ 9 | \$ | x \$22 | \$ |
| Indep. | | minus | | = | x \$43 | \$ | x \$82 | \$ |

| First Presentation of Multiple Dep. | +\$135 | \$ + \$270 | \$ |
|-------------------------------------|--------|---------------|----|
| Total Additional Fee | | \$ | \$ |

- If entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- If less than 20 in this space, write "20" in this space.
- If less than 3 in this space, write "3" in this space.

"Highest No. Previously Paid For" is highest no. in Col. 1 from prior Amendment or number of claims originally filed.

Please charge my Deposit Account No. 06-1620 in the amount of \$ A duplicate copy of this sheet is attached. A check in the amount of \$

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 06-1620. A duplicate copy of this sheet is attached.

<u>X</u> Any filing fee under 47 CFR 1.16 for the presentation of extra claims.

<u>X</u> Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted

for Applicant

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 25, 2004.

602 East 300 South Salt Lake City, Utah 84102 Telephone: (801) 364-5633

In re Patent Application of:

RODNEY M. LAFOLLETTE, ET AL.

Docket:

7310.C

Serial No.: 09/930,539

Art Unit:

1745

Filed:

August 14, 2001

Examiner: RAYMOND ALEJANDRO

For:

MICROSCOPIC BATTERIES FOR

MEMS SYSTEMS

SUBSTITUTE AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Responsive to the Office Action mailed August 5, 2004 and the advisory mailed October 22, 2004 (copy attached), please amend the above-identified application as follows:

IN THE SPECIFICATION:

Change the continuity insertion made by Preliminary Amendment, at page 1, lines 5-6, to read as follows:

- Continuity

This application is a continuation of our co-pending U.S. Patent Application Serial No. 09/037,801, filed March 20, 1998, now abandoned. --

IN THE CLAIMS:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on October 25, 2004.